

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
GREENEVILLE DIVISION

UNITED STATES OF AMERICA)
)
)
)
v.) NO. 2:17-CR-00002
) REEVES/CORKER
ERNEST BUFORD HAMM)

ORDER

Before the Court is United States Magistrate Judge Corker's Report and Recommendation ("R&R") [D. 59] regarding Ernest Buford Hamm's *pro se* motion for release from custody prior to his sentencing hearing [D. 52]. Judge Corker recommends that Mr. Hamm's motion be denied. Objections to the R&R were to be filed within five days after service of the R&R on the objecting party.¹ There have been no objections to the R&R within this time period, and thus, any objection is treated as forfeited.

After reviewing the record, the Court agrees with the R&R and hereby **ADOPTS** it in full. For the reasons stated in the R&R, Mr. Hamm's *pro se* motion for release from custody prior to his sentencing hearing [D. 52] is **DENIED**.

IT IS SO ORDERED.



UNITED STATES DISTRICT JUDGE

¹ Because the R&R was issued on June 15, 2018—ten days before the scheduled sentencing hearing on June 25—Judge Corker reduced the standard 14-day period in which to file objections to five days. *See* 28 U.S.C. § 636(b)(1); FED. R. CRIM. P. 59(b)(2). This is permissible because the 14-day period “is a maximum, not a minimum. The court may require a response within a shorter period if exigencies of the calendar require....” *United States v. Barney*, 568 F.2d 134, 136 (9th Cir. 1978).